

<b>REQUEST FOR QUOTATIONS</b> <b>(THIS IS NOT AN ORDER)</b>		THIS RFQ <input checked="" type="checkbox"/> IS <input type="checkbox"/> IS NOT A SMALL BUSINESS SET-ASIDE			PAGE 1 OF 28 PAGES
1. REQUEST NO. DABK07-03-T-0048	2. DATE ISSUED 17-Jan-2003	3. REQUISITION/PURCHASE REQUEST NO. PWBOMA-2364-N745	4. CERT. FOR NAT. DEF. UNDER BDSA REG. 2 AND/OR DMS REG. 1		RATING
5a. ISSUED BY FORT BRAGG DIRECTORATE OF CONTRACTING ATTN: SFCA-SR-BR BUILDING 3-1632 BUTNER ROAD FORT BRAGG NC 28310-5000			6. DELIVER BY (Date)  <b>SEE SCHEDULE</b>		
			7. DELIVERY <input checked="" type="checkbox"/> FOB DESTINATION <input type="checkbox"/> OTHER (See Schedule)		
5b. FOR INFORMATION CALL: (Name and Telephone no.) (No collect calls) GEORGE W. LOCKE 910-396-4897					
8. TO: NAME AND ADDRESS, INCLUDING ZIP CODE			9. DESTINATION (Consignee and address, including ZIP Code) PWBC NATURAL RESOURCES BRANCH JOHN WARD BLDG O-9062 LONGSTREET ROAD FORT BRAGG NC 28310 TEL: 396-2510 FAX: 396-9241		
10. PLEASE FURNISH QUOTATIONS TO THE ISSUING OFFICE IN BLOCK 5a ON OR BEFORE CLOSE OF BUSINESS: (Date) 24-Jan-2003					
<b>IMPORTANT:</b> This is a request for information, and quotations furnished are not offers. If you are unable to quote, please so indicate on this form and return it to the address in Block 5a. This request does not commit the Government to pay any costs incurred in the preparation of the submission of this quotation or to contract for supplies or services. Supplies are of domestic origin unless otherwise indicated by quoter. Any representations and/or certifications attached to this Request for Quotations must be completed by the quoter.					
11. SCHEDULE (Include applicable Federal, State, and local taxes)					
ITEM NO. (a)	SUPPLIES/ SERVICES (b)	QUANTITY (c)	UNIT (d)	UNIT PRICE (e)	AMOUNT (f)
SEE SCHEDULE					
12. DISCOUNT FOR PROMPT PAYMENT		a. 10 CALENDAR DAYS %	b. 20 CALENDAR DAYS %	c. 30 CALENDAR DAYS %	d. CALENDAR DAYS No. %
<b>NOTE: Additional provisions and representations <input type="checkbox"/> are <input type="checkbox"/> are not attached.</b>					
13. NAME AND ADDRESS OF QUOTER (Street, City, County, State, and ZIP Code)			14. SIGNATURE OF PERSON AUTHORIZED TO SIGN QUOTATION		15. DATE OF QUOTATION
			16. NAME AND TITLE OF SIGNER (Type or print)		TELEPHONE NO. (Include area code)

Section B - Supplies or Services and Prices

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0001	Replace Two Skid-Mounted Water/Foam Pumper Units FFP See Specifications for Emergency Vehicle Scope of Work and Components. PURCHASE REQUEST NUMBER: PWBOMA-2364-N745	2	Each		

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NET AMT

FOB: Destination

Section C - Descriptions and Specifications

SPECIFICATIONS

THIS REQUIREMENT IS SET ASIDE FOR SMALL BUSINESS CONCERNS ONLY.

THE GOVERNMENT RESERVES THE RIGHT TO AWARD ON AN “**ALL OR NONE**” BASIS IN ACCORDANCE WITH THE SPECIFICATIONS AND STATEMENT OF WORK.

RESPONSES MUST BE RECEIVED PRIOR TO THE CLOSE OF BUSINESS (4:00 PM) ON THE CLOSE OF QUOTE DATE AS SPECIFIED. FAX RESPONSE TO: GEORGE LOCKE 910-396-2674. RESPONSE MUST CONTAIN WRITTEN VERIFICATION THAT QUOTE SUBMITTED IS EXACTLY AS PER SPECIFICATIONS/BRAND/PART NUMBER ETC, AS CONTAINED HEREIN OR MAY BE DETERMINED NON-RESPONSIVE.

**CENTRAL CONTRACTOR REGISTRATION (CCR) - EFFECTIVE 1 JUNE 1998, ALL CONTRACTORS RECEIVING DEPARTMENT OF DEFENSE (DOD) CONTRACT AWARDS MUST BE REGISTERED.**

**ANY POTENTIAL OFFEROR SHALL PRODUCE REFERENCES OF PAST PERFORMANCE DETAILING PROPER INSTALLATION OF THE REQUIRED PUMPER AND CLAIMS OF SUCH SHALL BE VERIFIED.**

**EVALUATION FACTORS:** 1) TECHNICALLY ACCEPTABLE (2) PAST PERFORMANCE (REFERENCES) (2) PRICE

**AWARD FACTORS:** AWARD WILL BE MADE TO THE QUOTER WHO OFFERS THE BEST OVERALL VALUE TO THE GOVERNMENT. CONTRACTOR MUST HAVE VERIFIABLE PAST PERFORMANCE AS A SUPPLIER AND INSTALLER OF THIS TYPE OF REQUIREMENT AND MUST BE ABLE TO PROVIDE THE ENTIRE REQUIREMENT IN ORDER TO BE CONSIDERED FOR AN AWARD.

THE NORTH AMERICAN INDUSTRY CLASSIFICATION (NAICS) CODE FOR THIS ACQUISITION IS 423830.

THE SMALL BUSINESS SIZE STANDARD IS FOR THE FIRM TO EMPLOY **NO MORE** THAN 500 EMPLOYEES.

**PROVIDE THE CONTRACTOR'S DUNS NUMBER WITH QUOTATION** \_\_\_\_\_

**QUESTIONS PERTAINING TO THE SCOPE OF WORK AND PUMPER SPECIFICATIONS MAY BE DIRECTED TO JOHN WARD 910-396-2028.**

**EMERGENCY VEHICLES WILL REQUIRE MODIFICATION TO ALLOW FOR PROPER INSTALLATION AND PAST PERFORMANCE (REFERENCES) WILL BE VERIFIED. A SITE VISIT TO INSPECT THE VEHICLES PRIOR TO SUBMITTING A QUOTE MAY BE COORDINATED WITH JOHN WARD.**

**VEHICLES WILL BE REQUIRED TO BE PICKED UP FROM THE NATURAL RESOURCES BRANCH AND TAKEN TO THE CONTRACTOR'S CHOICE OF FACILITY FOR INSTALLATION OF THE EQUIPMENT. AFTER PROPER INSTALLATION, THE VEHICLES ARE TO BE RETURNED TO THE NATURAL RESOURCES BRANCH (JOHN WARD) FOR FINAL INSPECTION.**

**CONTRACTOR SHALL HONOR ALL MANUFACTURER WARRANTIES.**

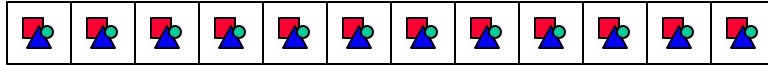
**COMPONENTS & SCOPE OF WORK**

- (1) HPXB200-B18 Hale pump with 18 hp. Briggs & Stratton Vanguard Engine
- (2) Self-contained 12 V alternator, 12 V starting from panel
- (3) Pump primer, exhaust type
- (4) Full instrumentation
- (5) Lighted pump panel with ATP cover
- (6) ATP exhaust shield
- (7) Fuel Primer
- (8) Polished aluminum Hannay model SBEF 38-23-24 12V hose reel with chrome drive sprocket disc., electric rewind on driver side, along with right & left side stainless steel hose rollers.
- (9) 300 gallon UPF poly tank, flat bottom for low center of gravity
- (10) Tank sight gauge
- (11) Custom built 4" x 4" x 1/4" steel manifold with three (3) 1" outlets, two (2) 1 1/2 in. outlets, one (1) 2 1/2 in. outlet painted red
- (12) Elkhart valves included:
  - (a) One 2 1/2 in. tank to pump
  - (b) One 2 1/2 in. discharge with 2 1/2 to 1 1/2 chrome reducer along with chrome 1 1/2 in. cap and chain
  - (c) One 1 in hose reel valve
  - (d) One 1 in. tank bypass valve
  - (e) One 2 1/2 in. suction with chrome NSTF swivel along with chrome plug and chain
  - (f) All valves will be Elkhart and within easy reach
  - (g) Color coded labels
- (13) Schedule 40 galvanized piping for plumbing painted red
- (14) Blizzard Wizard Foam System with 8-gallon foam tank
- (15) Install unit and bolt down to chassis, wired to vehicle battery
- (16) Cut away inner fenders of body for skid clearance
- (17) Supply and install 200 ft. of 1" Niedner Reeltex lightweight booster hose
- (18) Supply one TFT 1" Bubble Cup nozzle. Supply and install nozzle clip

**ACCESSORIES**

- (1) Supply and install a Code 3 XL5000 all red bar light with 6 rotators and 3 mirrors mounted on top of cab. See note below
- (2) Supply and install two red Whelen 73 series strobe lights along with Cast Products mounting bases in grille of chassis
- (3) Supply and install two Whelen 508 series strobe lights mounted on the rear of the body
- (4) Supply and install a Code 3 4306-switch control head for all warning lights. This will be mounted in the console
- (5) Supply and install a Whelen 4-way power supply
- (6) Supply and install a Code 3 3672 siren control head mounted in the console
- (7) Supply and install a 100-watt speaker mounted behind the front bumper
- (8) Supply and install a master switch for all emergency items added by Anchor-Richey
- (9) Supply and install a sanded aluminum console in cab of chassis mounted in center of cab between seat and dash

## Section H - Special Contract Requirements

WAGE DETERMINATION**WAGE DETERMINATION NO: 94-2393 REV (23) AREA: NC,FAYETTEVILLE**


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WAGE DETERMINATION NO: 94-2393 REV (23) AREA: NC,FAYETTEVILLE

REGISTER OF WAGE DETERMINATIONS UNDER | U.S. DEPARTMENT OF LABOR

\*\*\*FOR OFFICIAL USE ONLY BY FEDERAL AGENCIES PARTICIPATING IN MOU WITH DOL\*\*\*

WASHINGTON D.C. 20210

| Wage Determination No.: 1994-2393

William W.Gross Division of | Revision No.: 23

Director Wage Determinations| Date Of Last Revision: 05/29/2002

States: **North Carolina**, **South Carolina**Area: **North Carolina** Counties of Beaufort, Bladen, Brunswick, Carteret, Columbus, Craven,**Cumberland**, Dare, Duplin, Greene, Harnett, Hoke, Hyde, Johnston, Jones, Lee, Lenoir,

Martin, Moore, New Hanover, Onslow, Pamlico, Pender, Pitt, Richmond, Robeson, Sampson,

Scotland, Tyrrell, Washington, Wayne, Wilson

**South Carolina** Counties of Dillon, Horry, Marion, Marlboro

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**\*\*Fringe Benefits Required Follow the Occupational Listing\*\***

OCCUPATION TITLE	MINIMUM WAGE RATE
Administrative Support and Clerical Occupations	
Accounting Clerk I	8.82
Accounting Clerk II	11.01
Accounting Clerk III	14.00
Accounting Clerk IV	15.65
Court Reporter	11.44
Dispatcher, Motor Vehicle	13.16
Document Preparation Clerk	9.11
Duplicating Machine Operator	9.11
Film/Tape Librarian	8.99
General Clerk I	7.36
General Clerk II	8.30
General Clerk III	9.05
General Clerk IV	10.15
Housing Referral Assistant	16.50
Key Entry Operator I	8.88
Key Entry Operator II	9.67
Messenger (Courier)	6.99
Order Clerk I	9.08
Order Clerk II	9.91
Personnel Assistant (Employment) I	8.45
Personnel Assistant (Employment) II	9.49

Personnel Assistant (Employment) III	12.20
Personnel Assistant (Employment) IV	15.79
Production Control Clerk	13.60
Rental Clerk	8.90
Scheduler, Maintenance	10.23
Secretary I	9.91
Secretary II	12.74
Secretary III	16.50
Secretary IV	18.33
Secretary V	20.28
Service Order Dispatcher	9.30
Stenographer I	7.92
Stenographer II	8.90
Supply Technician	18.33
Survey Worker (Interviewer)	11.44
Switchboard Operator-Receptionist	8.77
Test Examiner	12.74
Test Proctor	12.74
Travel Clerk I	9.39
Travel Clerk II	10.03
Travel Clerk III	10.71
Word Processor I	9.11
Word Processor II	10.23
Word Processor III	13.16
Automatic Data Processing Occupations	
Computer Data Librarian	10.81
Computer Operator I	12.11
Computer Operator II	14.55
Computer Operator III	17.66
Computer Operator IV	18.22
Computer Operator V	20.18
Computer Programmer I (1)	13.66
Computer Programmer II (1)	16.83
Computer Programmer III (1)	20.10
Computer Programmer IV (1)	22.90
Computer Systems Analyst I (1)	19.95
Computer Systems Analyst II (1)	23.88
Computer Systems Analyst III (1)	28.44
Peripheral Equipment Operator	11.25
Automotive Service Occupations	
Automotive Body Repairer, Fiberglass	17.32
Automotive Glass Installer	13.57
Automotive Worker	13.57
Electrician, Automotive	15.06
Mobile Equipment Servicer	12.09
Motor Equipment Metal Mechanic	15.06
Motor Equipment Metal Worker	13.57
Motor Vehicle Mechanic	15.06
Motor Vehicle Mechanic Helper	11.33
Motor Vehicle Upholstery Worker	13.57
Motor Vehicle Wrecker	13.57
Painter, Automotive	14.52
Radiator Repair Specialist	13.57
Tire Repairer	11.68
Transmission Repair Specialist	15.06
Food Preparation and Service Occupations	

Baker	13.08
Cook I	11.58
Cook II	13.08
Dishwasher	8.48
Food Service Worker	8.48
Meat Cutter	13.08
Waiter/Waitress	9.32
Furniture Maintenance and Repair Occupations	
Electrostatic Spray Painter	16.24
Furniture Handler	10.92
Furniture Refinisher	16.24
Furniture Refinisher Helper	12.70
Furniture Repairer, Minor	14.45
Upholsterer	16.24
General Services and Support Occupations	
Cleaner, Vehicles	8.48
Elevator Operator	8.48
Gardener	11.18
House Keeping Aid I	7.58
House Keeping Aid II	8.48
Janitor	8.48
Laborer, Grounds Maintenance	9.32
Maid or Houseman	7.58
Pest Controller	12.34
Refuse Collector	8.48
Tractor Operator	10.84
Window Cleaner	9.32
Health Occupations	
Dental Assistant	10.99
Emergency Medical Technician (EMT)/Paramedic/Ambulance Driver	11.84
Licensed Practical Nurse I	10.24
Licensed Practical Nurse II	11.50
Licensed Practical Nurse III	12.86
Medical Assistant	10.13
Medical Laboratory Technician	11.71
Medical Record Clerk	9.34
Medical Record Technician	12.93
Nursing Assistant I	7.67
Nursing Assistant II	8.62
Nursing Assistant III	9.40
Nursing Assistant IV	10.57
Pharmacy Technician	11.63
Phlebotomist	11.71
Registered Nurse I	15.59
Registered Nurse II	19.06
Registered Nurse II, Specialist	19.06
Registered Nurse III	23.08
Registered Nurse III, Anesthetist	23.08
Registered Nurse IV	27.66
Information and Arts Occupations	
Audiovisual Librarian	16.46
Exhibits Specialist I	15.19
Exhibits Specialist II	18.39
Exhibits Specialist III	21.95
Illustrator I	15.19
Illustrator II	18.39



Illustrator III	21.95
Librarian	18.56
Library Technician	11.63
Photographer I	14.12
Photographer II	14.66
Photographer III	17.75
Photographer IV	21.18
Photographer V	25.64
Laundry, Dry Cleaning, Pressing and Related Occupations	
Assembler	6.36
Counter Attendant	6.36
Dry Cleaner	7.67
Finisher, Flatwork, Machine	6.36
Presser, Hand	6.36
Presser, Machine, Drycleaning	6.36
Presser, Machine, Shirts	6.36
Presser, Machine, Wearing Apparel, Laundry	6.36
Sewing Machine Operator	8.21
Tailor	8.77
Washer, Machine	6.83
Machine Tool Operation and Repair Occupations	
Machine-Tool Operator (Toolroom)	17.82
Tool and Die Maker	19.55
Material Handling and Packing Occupations	
Forklift Operator	10.45
Fuel Distribution System Operator	10.39
Material Coordinator	12.28
Material Expediter	12.28
Material Handling Laborer	8.28
Order Filler	9.06
Production Line Worker (Food Processing)	10.46
Shipping Packer	9.56
Shipping/Receiving Clerk	9.60
Stock Clerk (Shelf Stocker; Store Worker II)	13.07
Store Worker I	9.35
Tools and Parts Attendant	10.82
Warehouse Specialist	10.82
Mechanics and Maintenance and Repair Occupations	
Aircraft Mechanic	17.10
Aircraft Mechanic Helper	12.70
Aircraft Quality Control Inspector	18.00
Aircraft Servicer	14.45
Aircraft Worker	15.34
Appliance Mechanic	16.24
Bicycle Repairer	13.11
Cable Splicer	17.10
Carpenter, Maintenance	16.24
Carpet Layer	15.34
Electrician, Maintenance	19.77
Electronics Technician, Maintenance I	17.95
Electronics Technician, Maintenance II	19.95
Electronics Technician, Maintenance III	20.84
Fabric Worker	14.46
Fire Alarm System Mechanic	17.10
Fire Extinguisher Repairer	13.57
Fuel Distribution System Mechanic	17.10

General Maintenance Worker	15.34
Heating, Refrigeration and Air Conditioning Mechanic	17.10
Heavy Equipment Mechanic	17.10
Heavy Equipment Operator	14.33
Instrument Mechanic	17.10
Laborer	9.64
Locksmith	16.24
Machinery Maintenance Mechanic	16.61
Machinist, Maintenance	16.69
Maintenance Trades Helper	12.70
Millwright	17.10
Office Appliance Repairer	16.24
Painter, Aircraft	16.24
Painter, Maintenance	16.24
Pipefitter, Maintenance	17.10
Plumber, Maintenance	16.24
Pneudraulic Systems Mechanic	17.10
Rigger	17.10
Scale Mechanic	15.34
Sheet-Metal Worker, Maintenance	17.10
Small Engine Mechanic	15.34
Telecommunication Mechanic I	17.10
Telecommunication Mechanic II	18.00
Telephone Lineman	17.10
Welder, Combination, Maintenance	17.10
Well Driller	17.10
Woodcraft Worker	17.10
Woodworker	13.57
Miscellaneous Occupations	
Animal Caretaker	10.07
Carnival Equipment Operator	10.84
Carnival Equipment Repairer	11.58
Carnival Worker	8.48
Cashier	7.30
Desk Clerk	8.94
Embalmer	17.39
Lifeguard	9.42
Mortician	16.43
Park Attendant (Aide)	11.84
Photofinishing Worker (Photo Lab Tech., Darkroom Tech)	8.39
Recreation Specialist	12.39
Recycling Worker	10.84
Sales Clerk	9.44
School Crossing Guard (Crosswalk Attendant)	8.48
Sport Official	7.97
Survey Party Chief (Chief of Party)	16.86
Surveying Aide	9.96
Surveying Technician (Instr. Person/Surveyor Asst./Instr.)	13.64
Swimming Pool Operator	14.23
Vending Machine Attendant	11.80
Vending Machine Repairer	14.23
Vending Machine Repairer Helper	11.80
Personal Needs Occupations	
Child Care Attendant	8.94
Child Care Center Clerk	11.56
Chore Aid	8.55

Homemaker	13.98
Plant and System Operation Occupations	
Boiler Tender	18.06
Sewage Plant Operator	17.86
Stationary Engineer	18.81
Ventilation Equipment Tender	12.70
Water Treatment Plant Operator	16.24
Protective Service Occupations	
Alarm Monitor	10.41
Corrections Officer	13.06
Court Security Officer	13.06
Detention Officer	13.06
Firefighter	12.75
Guard I	7.73
Guard II	13.17
Police Officer	14.75
Stevedoring/Longshoremen Occupations	
Blocker and Bracer	12.85
Hatch Tender	12.85
Line Handler	12.85
Stevedore I	11.05
Stevedore II	12.43
Technical Occupations	
Air Traffic Control Specialist, Center (2)	28.21
Air Traffic Control Specialist, Station (2)	19.46
Air Traffic Control Specialist, Terminal (2)	21.43
Archeological Technician I	13.54
Archeological Technician II	15.22
Archeological Technician III	18.39
Cartographic Technician	19.10
Civil Engineering	16.72
Computer Based Training (CBT) Specialist/ Instructor	20.72
Drafter I	11.96
Drafter II	14.63
Drafter III	15.19
Drafter IV	18.39
Engineering Technician I	12.28
Engineering Technician II	15.03
Engineering Technician III	15.60
Engineering Technician IV	18.89
Engineering Technician V	23.62
Engineering Technician VI	28.57
Environmental Technician	17.75
Flight Simulator/Instructor (Pilot)	23.88
Graphic Artist	18.14
Instructor	18.88
Laboratory Technician	15.37
Mathematical Technician	18.39
Paralegal/Legal Assistant I	12.75
Paralegal/Legal Assistant II	18.34
Paralegal/Legal Assistant III	22.43
Paralegal/Legal Assistant IV	28.38
Photooptics Technician	17.75
Technical Writer	21.74
Unexploded (UXO) Safety Escort	17.93
Unexploded (UXO) Sweep Personnel	17.93

Unexploded Ordnance (UXO) Technician I	17.93
Unexploded Ordnance (UXO) Technician II	21.70
Unexploded Ordnance (UXO) Technician III	26.01
Weather Observer, Combined Upper Air and Surface Programs (3)	15.59
Weather Observer, Senior (3)	17.37
Weather Observer, Upper Air (3)	15.59
Transportation/ Mobile Equipment Operation Occupations	
Bus Driver	9.79
Parking and Lot Attendant	6.72
Shuttle Bus Driver	9.19
Taxi Driver	7.80
Truckdriver, Heavy Truck	12.40
Truckdriver, Light Truck	9.19
Truckdriver, Medium Truck	9.79
Truckdriver, Tractor-Trailer	12.40

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**ALL OCCUPATIONS LISTED ABOVE RECEIVE THE FOLLOWING BENEFITS:**

**HEALTH & WELFARE:** \$2.15 an hour or \$86.00 a week or \$372.67 a month

**VACATION:** 2 weeks paid vacation after 1 year of service with a contractor or successor; 3 weeks after 8 years, and 4 weeks after 20 years. Length of service includes the whole span of continuous service with the present contractor or successor, wherever employed, and with the predecessor contractors in the performance of similar work at the same Federal facility. (Reg. 29 CFR 4.173)

**HOLIDAYS:** A minimum of ten paid holidays per year: New Year's Day, Martin Luther King Jr.'s Birthday, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans' Day, Thanksgiving Day, and Christmas Day. (A contractor may substitute for any of the named holidays another day off with pay in accordance with a plan communicated to the employees involved.) (See 29 CFR 4.174)

**THE OCCUPATIONS WHICH HAVE PARENTHESES AFTER THEM RECEIVE THE FOLLOWING BENEFITS (as numbered):**

- 1) Does not apply to employees employed in a bona fide executive, administrative, or professional capacity as defined and delineated in 29 CFR 541. (See CFR 4.156)
- 2) **APPLICABLE TO AIR TRAFFIC CONTROLLERS ONLY - NIGHT DIFFERENTIAL:** An employee is entitled to pay for all work performed between the hours of 6:00 P.M. and 6:00 A.M. at the rate of basic pay plus a night pay differential amounting to 10 percent of the rate of basic pay.
- 3) **WEATHER OBSERVERS - NIGHT PAY & SUNDAY PAY:** If you work at night as part of a regular tour of duty, you will earn a night differential and receive an additional 10% of basic pay for any hours worked between 6pm and 6am. If you are a full-time employed (40 hours a week) and Sunday is part of your regularly scheduled workweek, you are paid at your rate of basic pay plus a Sunday premium of 25% of your basic rate for each hour of Sunday work which is not overtime (i.e. occasional work on Sunday outside the normal tour of duty is considered overtime work).

**HAZARDOUS PAY DIFFERENTIAL:** An 8 percent differential is applicable to employees employed in a position that represents a high degree of hazard when working with or in close proximity to ordnance, explosives, and incendiary materials. This includes work such as screening, blending, drying, mixing, and pressing of sensitive ordnance, explosives, and pyrotechnic compositions such as lead azide, black powder and photoflash powder. All dry-house activities involving propellants or explosives. Demilitarization, modification, renovation, demolition, and maintenance operations on sensitive ordnance, explosives and incendiary materials. All operations involving regrading and cleaning of artillery ranges. A 4 percent differential is applicable to employees employed in a position that represents

a low degree of hazard when working with, or in close proximity to ordnance, (or employees possibly adjacent to) explosives and incendiary materials which involves potential injury such as laceration of hands, face, or arms of the employee engaged in the operation, irritation of the skin, minor burns and the like; minimal damage to immediate or adjacent work area or equipment being used. All operations involving, unloading, storage, and hauling of ordnance, explosive, and incendiary ordnance material other than small arms ammunition. These differentials are only applicable to work that has been specifically designated by the agency for ordnance, explosives, and incendiary material differential pay.

**\*\* UNIFORM ALLOWANCE \*\***

If employees are required to wear uniforms in the performance of this contract (either by the terms of the Government contract, by the employer, by the state or local law, etc.), the cost of furnishing such uniforms and maintaining (by laundering or dry cleaning) such uniforms is an expense that may not be borne by an employee where such cost reduces the hourly rate below that required by the wage determination. The Department of Labor will accept payment in accordance with the following standards as compliance:

The contractor or subcontractor is required to furnish all employees with an adequate number of uniforms without cost or to reimburse employees for the actual cost of the uniforms. In addition, where uniform cleaning and maintenance is made the responsibility of the employee, all contractors and subcontractors subject to this wage determination shall (in the absence of a bona fide collective bargaining agreement providing for a different amount, or the furnishing of contrary affirmative proof as to the actual cost), reimburse all employees for such cleaning and maintenance at a rate of \$3.35 per week (or \$.67 cents per day). However, in those instances where the uniforms furnished are made of "wash and wear" materials, may be routinely washed and dried with other personal garments, and do not require any special treatment such as dry cleaning, daily washing, or commercial laundering in order to meet the cleanliness or appearance standards set by the terms of the Government contract, by the contractor, by law, or by the nature of the work, there is no requirement that employees be reimbursed for uniform maintenance costs.

**\*\* NOTES APPLYING TO THIS WAGE DETERMINATION \*\***

**Source of Occupational Title and Descriptions:**

The duties of employees under job titles listed are those described in the "Service Contract Act Directory of Occupations," Fourth Edition, January 1993, as amended by the Third Supplement, dated March 1997, unless otherwise indicated. This publication may be obtained from the Superintendent of Documents, at 202-783-3238, or by writing to the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. Copies of specific job descriptions may also be obtained from the appropriate contracting officer.

**REQUEST FOR AUTHORIZATION OF ADDITIONAL CLASSIFICATION AND WAGE RATE {Standard Form 1444 (SF 1444)}**

**Conformance Process:**

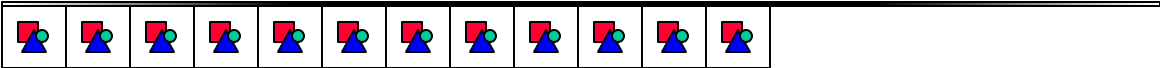
The contracting officer shall require that any class of service employee which is not listed herein and which is to be employed under the contract (i.e., the work to be performed is not performed by any classification listed in the wage determination), be classified by the contractor so as to provide a reasonable relationship (i.e., appropriate level of skill comparison) between such unlisted classifications and the classifications listed in the wage determination. Such conformed classes of employees shall be paid the monetary wages and furnished the fringe benefits as are determined. Such conforming process shall be initiated by the contractor prior to the performance of contract work by such unlisted class(es) of employees. The conformed classification, wage rate, and/or fringe benefits shall be retroactive to the commencement date of the contract. {See Section 4.6 ©(vi)} When multiple wage determinations are included in a contract, a separate SF 1444 should be prepared for each wage determination to which a class(es) is to be conformed.

The process for preparing a conformance request is as follows:

- 1) When preparing the bid, the contractor identifies the need for a conformed occupation(s) and computes a proposed rate(s).
- 2) After contract award, the contractor prepares a written report listing in order proposed classification title(s), a Federal grade equivalency (FGE) for each proposed classification(s), job description(s), and rationale for proposed wage rate(s), including information regarding the agreement or disagreement of the authorized representative of the employees involved, or where there is no authorized representative, the employees themselves. This report should be submitted to the contracting officer no later than 30 days after such unlisted class(es) of employees performs any contract work.
- 3) The contracting officer reviews the proposed action and promptly submits a report of the action, together with the agency's recommendations and pertinent information including the position of the contractor and the employees, to the Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, for review. (See section 4.6(b)(2) of Regulations 29 CFR Part 4).
- 4) Within 30 days of receipt, the Wage and Hour Division approves, modifies, or disapproves the action via transmittal to the agency contracting officer, or notifies the contracting officer that additional time will be required to process the request.
- 5) The contracting officer transmits the Wage and Hour decision to the contractor.
- 6) The contractor informs the affected employees.

Information required by the Regulations must be submitted on SF 1444 or bond paper. When preparing a conformance request, the "Service Contract Act Directory of Occupations" (the Directory) should be used to compare job definitions to insure that duties requested are not performed by a classification already listed in the wage determination. Remember, it is not the job title, but the required tasks that determine whether a class is included in an established wage determination. Conformances may not be used to artificially split, combine, or subdivide classifications listed in the wage determination.

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## Section I - Contract Clauses

## CLAUSES INCORPORATED BY REFERENCE

52.212-1	Instructions to Offerors--Commercial Items	OCT 2000
52.212-4	Contract Terms and Conditions--Commercial Items	FEB 2002
252.204-7004	Required Central Contractor Registration	NOV 2001

## CLAUSES INCORPORATED BY FULL TEXT

## 52.000-4000 ALTERNATE DISPUTES RESOLUTION (ADR) (DEC 1995) (CIL 96-10)

(a) In furtherance of Federal policy and the Administrative Dispute Resolution Act of 1990, ADR Act, Pub. L. 101-552, the Contracting Officer will try to resolve all post-award acquisition issues in controversy by mutual agreement of the parties.

(b) Interested parties are encouraged to use alternative dispute resolution procedures to the maximum extent practicable in accordance with the authority and the requirements of the ADR Act.

(c) The interested parties desiring to submit their disputes for resolution under ADR procedures shall submit a written request to the Director of Contracting of the installation involved in the acquisition. The request shall include requester's name, address, and telephone number, including FAX number, the event or action involved, including a detailed statement of all factual grounds for the dispute, a request for ruling and a request for relief. All requests must be signed by an authorized representative of the interested party.

(End of clause)

## 52.212-3 OFFEROR REPRESENTATIONS AND CERTIFICATIONS--COMMERCIAL ITEMS (JUL 2002)

(a) Definitions. As used in this provision:

"Emerging small business" means a small business concern whose size is no greater than 50 percent of the numerical size standard for the NAICS code designated.

"Forced or indentured child labor" means all work or service-

(1) Exacted from any person under the age of 18 under the menace of any penalty for its nonperformance and for which the worker does not offer himself voluntarily; or

(2) Performed by any person under the age of 18 pursuant to a contract the enforcement of which can be accomplished by process or penalties.

Service-disabled veteran-owned small business concern--

(1) Means a small business concern--

(i) Not less than 51 percent of which is owned by one or more service-disabled veterans or, in the case of any publicly owned business, not less than 51 percent of the stock of which is owned by one or more service-disabled veterans; and

(ii) The management and daily business operations of which are controlled by one or more service-disabled veterans or, in the case of a veteran with permanent and severe disability, the spouse or permanent caregiver of such veteran.

(2) Service-disabled veteran means a veteran, as defined in 38 U.S.C. 101(2), with a disability that is service-connected, as defined in 38 U.S.C. 101(16).

"Small business concern" means a concern, including its affiliates, that is independently owned and operated, not dominant in the field of operation in which it is bidding on Government contracts, and qualified as a small business under the criteria in 13 CFR Part 121 and size standards in this solicitation.

Veteran-owned small business concern means a small business concern--

(1) Not less than 51 percent of which is owned by one or more veterans (as defined at 38 U.S.C. 101(2)) or, in the case of any publicly owned business, not less than 51 percent of the stock of which is owned by one or more veterans; and

(2) The management and daily business operations of which are controlled by one or more veterans.

"Women-owned small business concern" means a small business concern--

(1) That is at least 51 percent owned by one or more women or, in the case of any publicly owned business, at least 51 percent of its stock is owned by one or more women; or

(2) Whose management and daily business operations are controlled by one or more women.

"Women-owned business concern" means a concern which is at least 51 percent owned by one or more women; or in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one or more women; and whose management and daily business operations are controlled by one or more women.

(b) Taxpayer Identification Number (TIN) (26 U.S.C. 6109, 31 U.S.C. 7701). (Not applicable if the offeror is required to provide this information to a central contractor registration database to be eligible for award.)

(1) All offerors must submit the information required in paragraphs (b)(3) through (b)(5) of this provision to comply with debt collection requirements of 31 U.S.C. 7701(c) and 3325(d), reporting requirements of 26 U.S.C. 6041, 6041A, and 6050M, and implementing regulations issued by the Internal Revenue Service (IRS).

(2) The TIN may be used by the Government to collect and report on any delinquent amounts arising out of the offeror's relationship with the Government (31 U.S.C. 7701(c)(3)). If the resulting contract is subject to the payment reporting requirements described in FAR 4.904, the TIN provided hereunder may be matched with IRS records to verify the accuracy of the offeror's TIN.

(3) Taxpayer Identification Number (TIN).

\_\_\_ TIN:-----

\_\_\_ TIN has been applied for.

\_\_\_ TIN is not required because:

\_\_\_ Offeror is a nonresident alien, foreign corporation, or foreign partnership that does not have income effectively connected with the conduct of a trade or business in the United States and does not have an office or place of business or a fiscal paying agent in the United States;



Offeror is an agency or instrumentality of a foreign government;

\_\_\_ Offeror is an agency or instrumentality of the Federal Government.

(4) Type of organization.

\_\_\_ Sole proprietorship;

\_\_\_ Partnership;

\_\_\_ Corporate entity (not tax-exempt);

\_\_\_ Corporate entity (tax-exempt);

\_\_\_ Government entity (Federal, State, or local);

\_\_\_ Foreign government;

\_\_\_ International organization per 26 CFR 1.6049-4;

\_\_\_ Other-----

(5) Common parent.

\_\_\_ Offeror is not owned or controlled by a common parent;

\_\_\_ Name and TIN of common parent:

Name-----

TIN-----

(c) Offerors must complete the following representations when the resulting contract is to be performed inside the United States, its territories or possessions, Puerto Rico, the Trust Territory of the Pacific Islands, or the District of Columbia. Check all that apply.

(1) Small business concern. The offeror represents as part of its offer that it ( ) is, ( ) is not a small business concern.

(2) Veteran-owned small business concern. (Complete only if the offeror represented itself as a small business concern in paragraph (c)(1) of this provision.) The offeror represents as part of its offer that it ( ) is, ( ) is not a veteran-owned small business concern.

(3) Service-disabled veteran-owned small business concern. (Complete only if the offeror represented itself as a veteran-owned small business concern in paragraph (c)(2) of this provision.) The offeror represents as part of its offer that it ( ) is, ( ) is not a service-disabled veteran-owned small business concern.

(4) Small disadvantaged business concern. (Complete only if the offeror represented itself as a small business concern in paragraph (c)(1) of this provision.) The offeror represents, for general statistical purposes, that it ( ) is, ( ) is not a small disadvantaged business concern as defined in 13 CFR 124.1002.

(5) Women-owned small business concern. (Complete only if the offeror represented itself as a small business concern in paragraph (c)(1) of this provision.) The offeror represents that it ( ) is, ( ) is not a women-owned small business concern.

Note: Complete paragraphs (c)(6) and (c)(7) only if this solicitation is expected to exceed the simplified acquisition threshold.

(6) Women-owned business concern (other than small business concern). (Complete only if the offeror is a women-owned business concern and did not represent itself as a small business concern in paragraph (c)(1) of this provision.) The offeror represents that it ( ) is, a women-owned business concern.

(7) Tie bid priority for labor surplus area concerns. If this is an invitation for bid, small business offerors may identify the labor surplus areas in which costs to be incurred on account of manufacturing or production (by offeror or first-tier subcontractors) amount to more than 50 percent of the contract price:

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(8) Small Business Size for the Small Business Competitiveness Demonstration Program and for the Targeted Industry Categories under the Small Business Competitiveness Demonstration Program. (Complete only if the offeror has represented itself to be a small business concern under the size standards for this solicitation.)

(i) (Complete only for solicitations indicated in an addendum as being set-aside for emerging small businesses in one of the four designated industry groups (DIGs).) The offeror represents as part of its offer that it ( ) is, ( ) is not an emerging small business.

(ii) (Complete only for solicitations indicated in an addendum as being for one of the targeted industry categories (TICs) or four designated industry groups (DIGs).) Offeror represents as follows:

(A) Offeror's number of employees for the past 12 months (check the Employees column if size standard stated in the solicitation is expressed in terms of number of employees); or

(B) Offeror's average annual gross revenue for the last 3 fiscal years (check the Average Annual Gross Number of Revenues column if size standard stated in the solicitation is expressed in terms of annual receipts).

(Check one of the following):

Average Annual

Number of Employees Gross Revenues

\_\_\_ 50 or fewer \_\_\_ \$1 million or less

\_\_\_ 51 - 100 \_\_\_ \$1,000,001 - \$2 million

\_\_\_ 101 - 250 \_\_\_ \$2,000,001 - \$3.5 million

\_\_\_ 251 - 500 \_\_\_ \$3,500,001 - \$5 million

\_\_\_ 501 - 750 \_\_\_ \$5,000,001 - \$10 million

\_\_\_ 751 - 1,000 \_\_\_ \$10,000,001 - \$17 million

\_\_\_ Over 1,000 \_\_\_ Over \$17 million

(9) (Complete only if the solicitation contains the clause at FAR 52.219-23, Notice of Price Evaluation Adjustment for Small Disadvantaged Business Concerns or FAR 52.219-25, Small Disadvantaged Business Participation Program-Disadvantaged Status and Reporting, and the offeror desires a benefit based on its disadvantaged status.)

(i) General. The offeror represents that either--

(A) It ( ) is, ( ) is not certified by the Small Business Administration as a small disadvantaged business concern and identified, on the date of this representation, as a certified small disadvantaged business concern in the database maintained by the Small Business Administration (PRO-Net), and that no material change in disadvantaged ownership and control has occurred since its certification, and, where the concern is owned by one or more individuals claiming disadvantaged status, the net worth of each individual upon whom the certification is based does not exceed \$750,000 after taking into account the applicable exclusions set forth at 13 CFR 124.104(c)(2); or

(B) It ( ) has, ( ) (has not submitted a completed application to the Small Business Administration or a Private Certifier to be certified as a small disadvantaged business concern in accordance with 13 CFR 124, Subpart B, and a decision on that application is pending, and that no material change in disadvantaged ownership and control has occurred since its application was submitted.

(ii) Joint Ventures under the Price Evaluation Adjustment for Small Disadvantaged Business Concerns. The offeror represents, as part of its offer, that it is a joint venture that complies with the requirements in 13 CFR 124.1002(f) and that the representation in paragraph (c)(7)(i) of this provision is accurate for the small disadvantaged business concern that is participating in the joint venture. (The offeror shall enter the name of the small disadvantaged business concern that is participating in the joint venture: \_\_\_\_\_.)

(10) HUBZone small business concern. (Complete only if the offeror represented itself as a small business concern in paragraph (c)(1) of this provision.) The offeror represents, as part of its offer, that--

(i) It ( ) is, ( ) is not a HUBZone small business concern listed, on the date of this representation, on the List of Qualified HUBZone Small Business Concerns maintained by the Small Business Administration, and no material change in ownership and control, principal office, or HUBZone employee percentage has occurred since it was certified by the Small Business Administration in accordance with 13 CFR part 126; and

(ii) It ( ) is, ( ) is not a joint venture that complies with the requirements of 13 CFR part 126, and the representation in paragraph (c)(10)(i) of this provision is accurate for the HUBZone small business concern or concerns that are participating in the joint venture. (The offeror shall enter the name or names of the HUBZone small business concern or concerns that are participating in the joint venture: \_\_\_\_\_.) Each HUBZone small business concern participating in the joint venture shall submit a separate signed copy of the HUBZone representation.

(d) Certifications and representations required to implement provisions of Executive Order 11246--

(1) Previous Contracts and Compliance. The offeror represents that--

(i) It ( ) has, ( ) has not, participated in a previous contract or subcontract subject either to the Equal Opportunity clause of this solicitation, the and

(ii) It ( ) has, ( ) has not, filed all required compliance reports.

(2) Affirmative Action Compliance. The offeror represents that--

(i) It ( ) has developed and has on file, ( ) has not developed and does not have on file, at each establishment, affirmative action programs required by rules and regulations of the Secretary of Labor (41 CFR Subparts 60-1 and 60-2), or

(ii) It ( ) has not previously had contracts subject to the written affirmative action programs requirement of the rules and regulations of the Secretary of Labor.

(e) Certification Regarding Payments to Influence Federal Transactions (31 U.S.C. 1352). (Applies only if the contract is expected to exceed \$100,000.) By submission of its offer, the offeror certifies to the best of its knowledge and belief that no Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress or an employee of a Member of Congress on his or her behalf in connection with the award of any resultant contract.

(f) Buy American Act Certificate. (Applies only if the clause at Federal Acquisition Regulation (FAR) 52.225-1, Buy American Act --Supplies, is included in this solicitation.)

(1) The offeror certifies that each end product, except those listed in paragraph (f)(2) of this provision, is a domestic end product as defined in the clause of this solicitation entitled ``Buy American Act --Supplies" and that the offeror has considered components of unknown origin to have been mined, produced, or manufactured outside the United States. The offeror shall list as foreign end products those end products manufactured in the United States that do not qualify as domestic end products.

(2) Foreign End Products:

Line Item No.:-----

Country of Origin:-----

(List as necessary)

(3) The Government will evaluate offers in accordance with the policies and procedures of FAR Part 25.

(g)(1) Buy American Act--North American Free Trade Agreement--Israeli Trade Act Certificate. (Applies only if the clause at FAR 52.225-3, Buy American Act--North American Free Trade Agreement--Israeli Trade Act, is included in this solicitation.)

(i) The offeror certifies that each end product, except those listed in paragraph (g)(1)(ii) or (g)(1)(iii) of this provision, is a domestic end product as defined in the clause of this solicitation entitled ``Buy American Act--North American Free Trade Agreement--Israeli Trade Act" and that the offeror has considered components of unknown origin to have been mined, produced, or manufactured outside the United States.

(ii) The offeror certifies that the following supplies are NAFTA country end products or Israeli end products as defined in the clause of this solicitation entitled ``Buy American Act--North American Free Trade Agreement--Israeli Trade Act":

NAFTA Country or Israeli End Products

Line Item No.:-----

Country of Origin:-----

(List as necessary)

(iii) The offeror shall list those supplies that are foreign end products (other than those listed in paragraph (g)(1)(ii) of this provision) as defined in the clause of this solicitation entitled ``Buy American Act--North American Free Trade Agreement--Israeli Trade Act." The offeror shall list as other foreign end products those end products manufactured in the United States that do not qualify as domestic end products.

Other Foreign End Products

Line Item No.:-----  
Country of Origin:-----

(List as necessary)

(iv) The Government will evaluate offers in accordance with the policies and procedures of FAR Part 25.

(2) Buy American Act--North American Free Trade Agreements--Israeli Trade Act Certificate, Alternate I (May 2002). If Alternate I to the clause at FAR 52.225-3 is included in this solicitation, substitute the following paragraph (g)(1)(ii) for paragraph (g)(1)(ii) of the basic provision:

(g)(1)(ii) The offeror certifies that the following supplies are Canadian end products as defined in the clause of this solicitation entitled "Buy American Act--North American Free Trade Agreement--Israeli Trade Act":

Canadian End Products:

Line Item No.  
-----  
-----  
-----

(List as necessary)

(3) Buy American Act--North American Free Trade Agreements--Israeli Trade Act Certificate, Alternate II (May 2002). If Alternate II to the clause at FAR 52.225-3 is included in this solicitation, substitute the following paragraph (g)(1)(ii) for paragraph (g)(1)(ii) of the basic provision:

(g)(1)(ii) The offeror certifies that the following supplies are Canadian end products or Israeli end products as defined in the clause of this solicitation entitled "Buy American Act--North American Free Trade Agreement--Israeli Trade Act":

Canadian or Israeli End Products:

Line Item No.  
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-----  
-----

Country of Origin  
-----  
-----  
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(List as necessary)

(4) Trade Agreements Certificate. (Applies only if the clause at FAR 52.225-5, Trade Agreements, is included in this solicitation.)

(i) The offeror certifies that each end product, except those listed in paragraph (g)(4)(ii) of this provision, is a U.S.-made, designated country, Caribbean Basin country, or NAFTA country end product, as defined in the clause of this solicitation entitled "Trade Agreements."

(ii) The offeror shall list as other end products those end products that are not U.S.-made, designated country, Caribbean Basin country, or NAFTA country end products.

#### Other End Products

Line Item No.:-----

Country of Origin:-----

(List as necessary)

(iii) The Government will evaluate offers in accordance with the policies and procedures of FAR Part 25. For line items subject to the Trade Agreements Act, the Government will evaluate offers of U.S.-made, designated country, Caribbean Basin country, or NAFTA country end products without regard to the restrictions of the Buy American Act. The Government will consider for award only offers of U.S.-made, designated country, Caribbean Basin country, or NAFTA country end products unless the Contracting Officer determines that there are no offers for such products or that the offers for such products are insufficient to fulfill the requirements of the solicitation.

(h) Certification Regarding Debarment, Suspension or Ineligibility for Award (Executive Order 12549). The offeror certifies, to the best of its knowledge and belief, that --

(1) The offeror and/or any of its principals ( ) are, ( ) are not presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any Federal agency, and

(2) ( ) Have, ( ) have not, within a three-year period preceding this offer, been convicted of or had a civil judgment rendered against them for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a Federal, state or local government contract or subcontract; violation of Federal or state antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, or receiving stolen property; and ( ) are, ( ) are not presently indicted for, or otherwise criminally or civilly charged by a Government entity with, commission of any of these offenses.

(i) Certification Regarding Debarment, Suspension or Ineligibility for Award (Executive Order 12549). The offeror certifies, to the best of its knowledge and belief, that--

(1) The offeror and/or any of its principals ( ) are, ( ) are not presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any Federal agency; and

(2) ( ) Have, ( ) have not, within a three-year period preceding this offer, been convicted of or had a civil judgment rendered against them for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a Federal, state or local government contract or subcontract; violation of Federal or state antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, or receiving stolen property; and ( ) are, ( ) are not presently indicted for, or otherwise criminally or civilly charged by a Government entity with, commission of any of these offenses.

(i) Certification Regarding Knowledge of Child Labor for Listed End Products (Executive Order 13126). [The Contracting Officer must list in paragraph (j)(1) any end products being acquired under this solicitation that are included in the List of Products Requiring Contractor Certification as to Forced or Indentured Child Labor, unless excluded at 22.1503(b).]

(1) Listed End Product

Listed End Product	Listed Countries of Origin:
.	.
.	.
.	.

(2) Certification. [If the Contracting Officer has identified end products and countries of origin in paragraph (j)(1) of this provision, then the offeror must certify to either (j)(2)(i) or (j)(2)(ii) by checking the appropriate block.]

( ) (i) The offeror will not supply any end product listed in paragraph (j)(1) of this provision that was mined, produced, or manufactured in the corresponding country as listed for that product.

( ) (ii) The offeror may supply an end product listed in paragraph (j)(1) of this provision that was mined, produced, or manufactured in the corresponding country as listed for that product. The offeror certifies that it has made a good faith effort to determine whether forced or indentured child labor was used to mine, produce, or manufacture any such end product furnished under this contract. On the basis of those efforts, the offeror certifies that it is not aware of any such use of child labor.

(End of provision)

#### 52.212-5 CONTRACT TERMS AND CONDITIONS REQUIRED TO IMPLEMENT STATUTES OR EXECUTIVE ORDERS--COMMERCIAL ITEMS (MAY 2002)

(a) The Contractor shall comply with the following FAR clauses, which are incorporated in this contract by reference, to implement provisions of law or executive orders applicable to acquisitions of commercial items:

(1) 52.222-3, Convict Labor (E.O. 11755).

(2) 52.233-3, Protest after Award (31 U.S.C. 3553).

(b) The Contractor shall comply with the FAR clauses in this paragraph (b) that the Contracting Officer has indicated as being incorporated in this contract by reference to implement provisions of law or Executive orders applicable to acquisitions of commercial items or components:

(Contracting Officer shall check as appropriate.)

\_\_\_ (1) 52.203-6, Restrictions on Subcontractor Sales to the Government, with Alternate I (41 U.S.C. 253g and 10 U.S.C. 2402).

\_\_\_ (2) 52.219-3, Notice of HUBZone Small Business Set-Aside (Jan 1999).

\_\_\_ (3) 52.219-4, Notice of Price Evaluation Preference for HUBZone Small Business Concerns (Jan 1999) (if the offeror elects to waive the preference, it shall so indicate in its offer).

\_\_\_ (4) (i) 52.219-5, Very Small Business Set-Aside (Pub. L. 103-403, section 304, Small Business Reauthorization and Amendments Act of 1994).

\_\_\_ (ii) Alternate I to 52.219-5.

\_\_\_ (iii) Alternate II to 52.219-5.

- \_\_\_ (5) 52.219-8, Utilization of Small Business Concerns (15 U.S.C. 637 (d)(2) and (3)).
- \_\_\_ (6) 52.219-9, Small Business Subcontracting Plan (15 U.S.C. 637 (d)(4)).
- \_\_\_ (7) 52.219-14, Limitations on Subcontracting (15 U.S.C. 637(a)(14)).
- \_\_\_ (8)(i) 52.219-23, Notice of Price Evaluation Adjustment for Small Disadvantaged Concerns (Pub. L. 103-355, section 7102, and 10 U.S.C. 2323) (if the offeror elects to waive the adjustment, it shall so indicate in its offer.
- \_\_\_ (ii) Alternate I of 52.219-23.
- \_\_\_ (9) 52.219-25, Small Disadvantaged Business Participation Program--Disadvantaged Status and Reporting (Pub. L. 103-355, section 7102, and 10 U.S.C. 2323).
- \_\_\_ (10) 52.219-26, Small Disadvantaged Business Participation Program--Incentive Subcontracting (Pub. L. 103-355, section 7102, and 10 U.S.C. 2323).
- \_XX\_ (11) 52.222-21, Prohibition of Segregated Facilities (Feb 1999).
- \_XX\_ (12) 52.222-26, Equal Opportunity (E.O. 11246).
- \_XX\_ (13) 52.222-35, Equal Opportunity for Special Disabled Veterans, Veterans of the Vietnam Era and Other Eligible Veterans (38 U.S.C. 4212).
- \_XX\_ (14) 52.222-36, Affirmative Action for Workers with Disabilities (29 U.S.C. 793).
- \_XX\_ (15) 52.222-37, Employment Reports on Special Disabled Veterans, Veterans of the Vietnam Era and Other Eligible Veterans (38 U.S.C. 4212).
- \_\_\_ (16) 52.222-19, Child Labor--Cooperation with Authorities and Remedies (E.O. 13126).
- \_\_\_ (17)(i) 52.223-9, Estimate of Percentage of Recovered Material Content for EPA-Designated Products (42 U.S.C. 6962(c)(3)(A)(ii)).
- \_\_\_ (ii) Alternate I of 52.223-9 (42 U.S.C. 6962(i)(2)(C)).
- \_\_\_ (18) 52.225-1, Buy American Act--Supplies (41 U.S.C. 10a-10d).
- \_\_\_ (19)(i) 52.225-3, Buy American Act--North American Free Trade Agreement--Israeli Trade Act (41 U.S.C. 10a-10d, 19 U.S.C. 3301 note, 19 U.S.C. 2112 note).
- \_\_\_ (ii) Alternate I of 52.225-3.
- \_\_\_ (iii) Alternate II of 52.225-3.
- \_\_\_ (20) 52.225-5, Trade Agreements (19 U.S.C. 2501, et seq., 19 U.S.C. 3301 note).
- \_\_\_ (21) 52.225-13, Restriction on Certain Foreign Purchases (E.O. 12722, 12724, 13059, 13067, 13121, and 13129).
- \_\_\_ (22) 52.225-15, Sanctioned European Union Country End Products (E.O. 12849).
- \_\_\_ (23) 52.225-16, Sanctioned European Union Country Services (E.O. 12849).



XX (24) 52.232-33, Payment by Electronic Funds Transfer--Central Contractor Registration (31 U.S.C. 3332).

\_\_\_\_ (25) 52.232-34, Payment by Electronic Funds Transfer--Other than Central Contractor Registration (31 U.S.C. 3332).

\_\_\_\_ (26) 52.232-36, Payment by Third Party (31 U.S.C. 3332).

\_\_\_\_ (27) 52.239-1, Privacy or Security Safeguards (5 U.S.C. 552a).

\_\_\_\_ (28) 52.247-64, Preference for Privately Owned U.S.-Flag Commercial Vessels (46 U.S.C. 1241).

\_\_\_\_ Alternate I of 52.247-64.

(c) The Contractor shall comply with the FAR clauses in this paragraph (c), applicable to commercial services, which the Contracting Officer has indicated as being incorporated in this contract by reference to implement provisions of law or executive orders applicable to acquisitions of commercial items or components:

(Contracting Officer check as appropriate.)

XX (1) 52.222-41, Service Contract Act of 1965, As amended (41 U.S.C. 351, et. seq.).

XX (2) 52.222-42, Statement of Equivalent Rates for Federal Hires (29 U.S.C. 206 and 41 U.S.C. 351, et. seq.).  
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\_\_\_\_ (3) 52.222-43, Fair Labor Standards Act and Service Contract Act -- Price Adjustment (Multiple Year and Option Contracts) (29 U.S.C.206 and 41 U.S.C. 351, et seq.).

\_\_\_\_ (4) 52.222-44, Fair Labor Standards Act and Service Contract Act - Price Adjustment (29 U.S.C. 206 and 41 U.S.C. 351, et seq.).

\_\_\_\_ (5) 52.222-47, SCA Minimum Wages and Fringe Benefits Applicable to Successor Contract Pursuant to Predecessor Contractor Collective Bargaining Agreement (CBA) (41 U.S.C. 351, et seq.).

(d) Comptroller General Examination of Record. The Contractor shall comply with the provisions of this paragraph (d) if this contract was awarded using other than sealed bid, is in excess of the simplified acquisition threshold, and does not contain the clause at 52.215-2, Audit and Records--Negotiation.

(1) The Comptroller General of the United States, or an authorized representative of the Comptroller General, shall have access to and right to examine any of the Contractor's directly pertinent records involving transactions related to this contract.

(2) The Contractor shall make available at its offices at all reasonable times the records, materials, and other evidence for examination, audit, or reproduction, until 3 years after final payment under this contract or for any shorter period specified in FAR Subpart 4.7, Contractor Records Retention, of the other clauses of this contract. If this contract is completely or partially terminated, the records relating to the work terminated shall be made available for 3 years after any resulting final termination settlement. Records relating to appeals under the disputes clause or to litigation or the settlement of claims arising under or relating to this contract shall be made available until such appeals, litigation, or claims are finally resolved.

(3) As used in this clause, records include books, documents, accounting procedures and practices, and other data, regardless of type and regardless of form. This does not require the Contractor to create or maintain any record that the Contractor does not maintain in the ordinary course of business or pursuant to a provision of law.

(e) Notwithstanding the requirements of the clauses in paragraphs (a), (b), (c) or (d) of this clause, the Contractor is not required to include any FAR clause, other than those listed below (and as may be required by an addenda to this paragraph to establish the reasonableness of prices under Part 15), in a subcontract for commercial items or commercial components--

(1) 52.222-26, Equal Opportunity (E.O. 11246);

(2) 52.222-35, Equal Opportunity for Special Disabled Veterans, Veterans of the Vietnam Era and Other Eligible Veterans (38 U.S.C. 4212);

(3) 52.222-36, Affirmative Action for Workers with Disabilities (29 U.S.C. 793);

(4) 52.247-64, Preference for Privately-Owned U.S.- Flag Commercial Vessels (46 U.S.C. 1241)(flow down not required for subcontracts awarded beginning May 1, 1996)., and

(5) 52.222-41, Service Contract Act of 1965, As Amended (41 U.S.C. 351, et seq.).

(End of clause)

#### 52.252-1 SOLICITATION PROVISIONS INCORPORATED BY REFERENCE (FEB 1998)

This solicitation incorporates one or more solicitation provisions by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. The offeror is cautioned that the listed provisions may include blocks that must be completed by the offeror and submitted with its quotation or offer. In lieu of submitting the full text of those provisions, the offeror may identify the provision by paragraph identifier and provide the appropriate information with its quotation or offer. Also, the full text of a solicitation provision may be accessed electronically at this/these address(es):

[www.farsite.hill.af.mil](http://www.farsite.hill.af.mil)

(End of provision)

#### 52.252-2 CLAUSES INCORPORATED BY REFERENCE (FEB 1998)

This contract incorporates one or more clauses by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. Also, the full text of a clause may be accessed electronically at this/these address(es):

[www.farsite.hill.af.mil](http://www.farsite.hill.af.mil)

(End of clause)

252.225-7000 BUY AMERICAN ACT--BALANCE OF PAYMENTS PROGRAM CERTIFICATE  
(SEP 1999)

(a) Definitions. Domestic end product, qualifying country, qualifying country end product, and qualifying country end product have the meanings given in the Buy American Act and Balance of Payments Program clause of this solicitation.

(b) Evaluation. Offers will be evaluated by giving preference to domestic end products and qualifying country end products over nonqualifying country end products.

(c) Certifications. (1) The Offeror certifies that--

(i) Each end product, except those listed in paragraphs (c) (2) or (3) of this provision, is a domestic end product; and

(ii) Components of unknown origin are considered to have been mined, produced, or manufactured outside the United States or a qualifying country.

(2) The Offeror certifies that the following end products are qualifying country end products:

Qualifying Country End Products

Line Item Number

Country of Origin

\_\_\_\_\_

(List only qualifying country end products.)

(3) The Offeror certifies that the following end products are nonqualifying country end products:

Nonqualifying Country End Products

Line Item Number

Country of Origin (If known)

\_\_\_\_\_

(End of provision)

252.225-7001 BUY AMERICAN ACT AND BALANCE OF PAYMENTS PROGRAM (MAR 1998)

(a) Definitions.

As used in this clause--

(1) Components means those articles, materials, and supplies directly incorporated into end products.

(2) Domestic end product means--

(i) An unmanufactured end product that has been mined or produced in the United States; or

(ii) An end product manufactured in the United States if the cost of its qualifying country components and its components that are mined, produced, or manufactured in the United States exceeds 50 percent of the cost of all its components. The cost of components shall include transportation costs to the place of incorporation into the end product and U.S. duty (whether or not a duty-free entry certificate may be issued). A component shall be considered

to have been mined, produced, or manufactured in the United States (regardless of its source in fact) if the end product in which it is incorporated is manufactured in the United States and the component is of a class or kind--

(A) Determined to be not mined, produced, or manufactured in the United States in sufficient and reasonably available commercial quantities and of a satisfactory quality; or

(B) That the Secretary concerned determines would be inconsistent with the public interest to apply the restrictions of the Buy American Act.

(3) End product means those articles, materials, and supplies to be acquired for public use under the contract. For this contract, the end products are the line items to be delivered to the Government (including supplies to be acquired by the Government for public use in connection with service contracts, but excluding installation and other services to be performed after delivery).

(4) Nonqualifying country end product means an end product that is neither a domestic end product nor a qualifying country end product.

(5) Qualifying country means any country set forth in subsection 225.872-1 of the Defense Federal Acquisition Regulation Supplement.

(6) Qualifying country component means an item mined, produced, or manufactured in a qualifying country.

(7) Qualifying country end product means--

(i) An unmanufactured end product mined or produced in a qualifying country; or

(ii) An end product manufactured in a qualifying country if the cost of the components mined, produced, or manufactured in the qualifying country and its components mined, produced, or manufactured in the United States exceeds 50 percent of the cost of all its components.

(b) This clause implements the Buy American Act (41 U.S.C. Section 10a-d) in a manner that will encourage a favorable international balance of payments by providing a preference to domestic end products over other end products, except for end products which are qualifying country end products.

(c) The Contractor agrees that it will deliver only domestic end products unless, in its offer, it specified delivery of other end products in the Buy American Act--Balance of Payments Program Certificate provision of the solicitation. An offer certifying that a qualifying country end product will be supplied requires the Contractor to deliver a qualifying country end product or a domestic end product.

(d) The offered price of qualifying country end products should not include custom fees or duty. The offered price of nonqualifying country end products, and products manufactured in the United States that contain nonqualifying country components, must include all applicable duty. The award price will not include duty for end products or components that are to be accorded duty-free entry. Generally, when the Buy American Act is applicable, each nonqualifying country offer is adjusted for the purpose of evaluation by adding 50 percent of the offer, inclusive of duty.

#### 252.225-7002 QUALIFYING COUNTRY SOURCES AS SUBCONTRACTORS (DEC 1991)

Subject to the restrictions in section 225.872 of the Defense FAR Supplement, the Contractor shall not preclude qualifying country sources and U.S. sources from competing for subcontracts under this contract.

(End of clause)